Federal Democracy Charter

Part - I

Declaration of Federal Democracy Union

2021

FEDERAL DEMOCRACY CHARTER

Introduction

Chapter I

Goal and Objective

Chapter II

Members of the Charter

Chapter III

Implementation Process or Political Road Map

Chapter IV

Development of Federal Democracy Union Constitution

Part I
Union Vision and Union Values
Part II
Guiding principles for building a Federal Democracy Union
Part III
Fundamental Policies for Building Federal Democracy Union

Chapter V

Commitment

Conclusion

Federal Democracy Charter

Introduction

With the objective of building a Federal Democracy Union, organizations and individuals who accept and agree to this Federal Democracy Charter, hereafter referred to as "Charter", make the commitment that we will try and build a Federal Democracy Union holding the following standards and values for the eradication of dictatorship and emergence of Federal Democracy Union with the political road map that will be implemented in steps, basic principles for the development of constitution and fundamental policies. With the firm belief that we will achieve the collective force, which will drive the collective actions and implementations through collective leadership of those who accept and agree to the Charter to reach the desired goal, we hereby validate and enact this Charter.

Chapter I

Goal and Objective

To bring an end to the conflicts and problematic root causes in the Union, to ensure all ethnic nationalities - population can participate and collaborate and to build a prosperous Federal Democracy Union where all citizens can live peacefully, share the common destiny and live harmoniously together; a Federal Democracy Union where democracy is exercised and equal rights and self-determination are guaranteed, all ethnic nationalities of the Union, all citizens enjoy mutual recognition and respect, mutual friendship and support and solidarity based on freedom, equality and justice, we intend to carry out the following activities:

1. Eradication of dictatorship;
2. Ultimate Abolishment of 2008 Constitution;
3. Building Federal Democracy Union; and
4. Emergence of Public Government.

Chapter II

Members of the Charter

The following entities collaborate and participate to collectively implement the vision and objective stated in this Charter:

1. Elected parliamentarian representatives;
2. Political Parties;
3. Civil Disobedience Movement (CDM), forces of General Strike Committee, Civil Society Organizations (CSOs) including Women and Youth organizations; and
4. Ethnic Armed Organizations (EAOs).

Chapter III

Implementation Process or Political Road Map

1. To collaborate according to respective sectors by establishing parliamentary representative committees with elected parliamentary representatives;
2. To create a platform/a structure where partner political parties, ethnic armed organizations and civil society organizations including women and youth organizations can work together to discuss and validate political agreements and future activities (activities for the way forward);
3. To develop and agree the Federal Democracy Charter;
4. To establish Interim National Unity Government, legislative and judiciary institutions in accordance with this Charter;
5. To determine a strategy for the eradication of dictatorship, abolishment of 2008 Constitution and building of Federal Democracy Union and to implement it;
6. To convene Constitutional Convention to develop and validate a new constitution;
7. To hold a national referendum to validate and enact the Federal Democracy Constitution developed by the Constitutional Convention; and
8. To establish legislative, executive and judiciary pillars according to the newly validated and enacted Federal Democracy Constitution and exercise constitutionalism.

Chapter IV

Development of Federal Democracy Union Constitution

The Constitution Drafting Committee established by the members who participate and collaborate in this Charter will develop the Constitution (draft) in accordance with the following guiding principles:

- Part 1: The vision and values of the Union;
- Part 2: The guiding principles for the building of Federal Democracy Union; and
- Part 3: Fundamental Policies.

Part I

Union Vision and Union Values

Union Vision

We shall build a peaceful Federal Democracy Union which guarantees freedom, justice and equality.

Union Values

To build the Union, we believe in and accept the following as values:

1. Democracy Rights, Gender Equality and basic Human Rights;
2. Equality and Self-Determination;
3. Collective Leadership;
4. Diversity, Social Harmony, Solidarity and Non-Discrimination; and
5. Protection of Minority Rights.

Part II

Guiding principles for building a Federal Democracy Union

1. The member states of the Union and the people in these states are the original owners of sovereignty.
2. The Federal Democracy Union is established with member states which have equal rights and right to self-determination in full. All the member states of the Union (all the federal units) are equal in terms of politics.
3. Member states of the Union have the right to enact their own respective State Constitution.
4. The Union exercises Power Sharing, Revenue Sharing and Fiscal Federalism. In doing so, it exercises the Subsidiary Principle where the system allows the government level closest to the people can act.
5. All Federal Union Security and Defense forces shall be under the supervision and administration of democratically elected civilian government. They shall exercise policy based on human security.

Part III

Fundamental Policies for Building Federal Democracy Union

Form of the Union

1. Federal Democracy Union shall be built to meet the characteristics of a federal union exercising full rights of democracy and equal rights and rights to self-determination in full.
2. Federal Democracy Union shall consist of member states which have full rights of democracy, equality and self-determination.
3. Every member state of the Union shall have separate legislative power, separate executive power and separate judicial power.

Power of the Union

4. The member states of the Union and the people in these states are the original owners of sovereignty.

5. The three pillars of sovereignty of Federal Democracy Union namely, legislative power, executive power and judicial power are clearly separated, exercised independently and exert reciprocal check and balance among themselves.
6. Power of the Union, power of the states and concurrent powers shall be determined and enacted. Only the powers necessary to exercise for the common interests of the member states of the Union shall be conferred to the Union. Residual powers which are not prescribed in the power of the Union, power of the States and concurrent power, shall remain with the member states of the Union.

Legislature of the Union

7. Federal Parliament is established with Federal Upper House and Federal Lower House which have equal powers. Upper House is established with the equal number of representatives selected and sent by various member states of the Federal Union. Lower House is established with representatives elected by the constituents in the elections which are based either on the number of population or townships. These two houses of parliament develop and enact union legislation.

Union Governance

8. The governance system of the Federal Union is Parliamentary System led by the Prime Minister. It is a system where a Head of State or President of the Union is in the parliamentary system.

Union Judiciary and Constitutional Tribunal

9. The supreme court of the Federal Union and Federal Union courts shall be established at various levels to exercise the judicial powers of the Federal Union. Federal Union Chief Justice nominated by the President of the Federal Union shall be reviewed examined and approved by the Federal Parliament.
10. Independent Constitutional Tribunal shall be formed to resolve and address the disputes related to the Constitution between the Federal Union and its member state or among member states.
11. Constitution of the Federal Union is the supreme law of the Union.

State Constitution

12. Member states of the Federal Union have the right to develop and enact State Constitutions.
13. Authority and power of local levels within the state shall be clearly and exactly prescribed in the State Constitution and the schedules of the taxes and revenue it can collect shall be exactly provided and enacted.
14. Rights of every ethnic nationalities in the State in various sectors namely political, social, economic, culture, tradition and customs etc. shall be protected, maintained and promoted.

Independent Commissions

15. The Federal Union shall have at least the following independent commissions:
    a. Anti-Corruption Commission;
    b. Election Commission;
    c. Anti-Discrimination and Human Rights Commission;
    d. Right to information Commission; and
    e. Anti-Gender based Violence Commission.

Politics and Religion

16. The Federal Union shall practice a political system that has separation between politics and religion and that is secular, not based on religion.

Fiscal Federalism

17. Exact and systematic tax and revenue collection schedule between Union level government and State level governments shall be precisely enacted as a law. The Union revenue collection mechanism and State revenue collection mechanism shall be specific and separate.

18. Fiscal management and sharing laws between Federal Union and States shall be developed and enacted. The Fiscal equality program for comprehensive and equitable development of the member states of the Union shall be developed and enacted.

Land and Natural Resources

19. Land and natural resources management and sharing law between Federal Union and member states shall be developed and enacted.
20. The original owner of all of land and natural resources within a State is the people who live in the State. The State shall have the right to independently manage the exploration, extraction, selling, trading, preservation, and protection etc. of the natural resources within the State.
21. In the Federal Union, the State shall have the full rights to the revenue stream coming from the natural resources that are produced in large quantities among the resource revenues. In extraction and production of natural resources, the consent of the local communities shall be obtained, and it shall have direct benefits to the development of that area. Separate taxes shall be collected, and a funds program shall be developed and enacted to remedy the negative impacts affecting the communities and the natural environment and the damages to the ecosystem due to the extraction of natural resources.

Fundamental Rights and Rights of Ethnic Minorities

22. Every person who lives in the Union shall be entitled to the fundamental human rights.
23. All the ethnic nationalities born in the Union shall have full rights to individual rights entitled as an individual person and ethnic nationalities shall have full rights to collective rights entitled as ethnic groups.
24. Every citizen who has adopted the citizenship of the Union although they are not ethnic nationalities born in the Union, shall have the full rights to fundamental rights of the citizens (citizen rights).
25. Direct, indirect or any forms of discriminations based on sex and gender shall be absolutely prohibited and there shall be promotion, protection, respect and compliance.
26. There shall be rights to independently preserve, protect and promote the customs, traditional practices and languages of ethnic nationalities in accordance with fundamental human rights laws. National identity and cultural rights of ethnic nationalities as their inherent rights shall not be repealed or prevented in any context. There shall be priority or specific space provided for ethnic minorities in State governments, State parliaments and local governance so they can participate in politics and decision-making role.
27. Literature and languages of ethnic nationalities shall be officially applied and taught in practice. Higher education institutions, universities and institutions shall be established and implemented so that ethnic languages of the Union will be taught and learned in these facilities.

Federal security and defense principles

28. Security and defense policies of Federal Union shall be based on human security. All security and defense forces of Federal Union shall be under the supervision and administration of democratically elected civilian government.
29. Federal Parliament shall develop and enact security and defense policies and laws of the Union. Federal Parliament shall examine and approve the defense and security expenditures.
30. Federal Police Force and State Police Force shall be established separately. There shall be the right to form State Security Force. State Police Force and State Security Force are under the governance and control of respective State Government. The expenditures of State Police Force and State Security Forces shall be scrutinized and approved by respective State Parliament.
31. To respond effectively in the context of either Union security and State of Emergency or natural disasters and relief activities, the deployment of Security Forces shall be discussed and decided by Union Government and respective State Government.

32. National Defense and Security Council of Federal Union shall be established. This Council shall be composed of at least one person from State Defense and Security Councils and of Union level individuals whose total number is not more than 30% of the total members of the Council.

Federal Union Security System

33. Federal Union Security System shall be established to implement a system where organizations and various forces participate in all ethnic nationalities, and provide comprehensive coverage while guaranteeing the safety of the population, protection of communities from dangers and defense of the Union through development of strategies based on respective geographical situation and mandates of security authorities which reflect and shape the customs and traditions, concerns and needs of the local communities by exercising the distribution of powers among Union, State and local level civilian governments, distribution of rights and decision-making powers given to the specific entities or individuals.

Administration and Public Services

34. Public service training schools shall be opened to train and nurture the individuals who will serve in administration and public services. Union Government shall develop curriculum standards that will be taught in these training schools.
35. Respective States shall have the right to open administration and public services training schools in respective states for the individuals who will serve in the states.

Inter-Governmental Relations

36. Joint Committees shall be established such as Heads of State Joint Committee to address and resolve the disputes and issues and to collaborate and work together between Federal Union and the States or between the state; Sectoral Ministers Joint Committee to work in collaboration in respective sectors; Financial Joint Committee to manage the revenues that are designated to be shared. The term of the Committee shall be determined based on the need of the issue on collaboration.
37. Heads of member states are above Union Ministers in the hierarchy of Federal Union.

Chapter V

Commitment

We shall build peaceful Federal Democracy Union with freedom, justice and equality in line with the political road map which will be implemented along the vision and objectives of this Charter.

In doing so, we shall endeavor to give the right to decision-making to the people and the right to self-determination to the member states of the Union based on the Union values.

We shall ensure the fundamental rights, gender equality and the rights of ethnic minorities. For the security of social life of every citizen, we shall adopt security and defense policies of Federal Union based on human security.

We shall develop and adopt policies that encourage and support innovation and entrepreneurship to raise the living standards of the citizens.

We shall develop and adopt effective policies for universal education coverage, universal health coverage, rights of people with disabilities, children, elderly and women including pregnant mothers, harm reduction for abuse of narcotics and psychotropic substances, treatment and rehabilitation.

We shall repeal the powers of those who are not elected. We shall dismantle the governments that do not have accountability nor responsibility by the people power. We shall be able to guarantee that the original source of sovereignty is the people. We shall ensure that the powers of the State are in the hands of the people.

The themes, provisions and policies in this Charter are the basic guidance that shall be applied in the implementation of the issues relating to the interim government and interim constitutional arrangements that will emerge soon.

Conclusion

Ethnic leaders who built the Union have given up their right to build their own separate nationals and signed 1947 Panglong Agreement to build this Union as a federation where countries come together as a Union. They intended to hold freedom, equality, diversity, collective leadership and self-determination as the standards and values of the Union and build Federal Union where all ethnicities would share the common destiny peacefully and live together in harmony. They have collaborated to achieve independence together.

Thus, it is essential to implement once again the Panglong Agreement, Panglong Commitment and Panglong Principle which are the original convention of the Union in order to build peaceful and prosperous Federal Union. The Constitution of Federal Union shall be drafted once again. Constitutionalism where governance is exercised according to the Constitution shall be adopted. Necessary legislative, executive and judiciary reforms shall be undertaken. The necessary characteristics of the Union shall be fulfilled. We shall implement building of the union identity both in form and essence. Union shall be built collectively and it shall flourish with collective leadership in the world.

We hereby declare that this Charter has been developed, adopted and validated collectively to shape and create a new Federal Democracy Union of freedom, peace, prosperity and development where we believe in and comply with values and strong policies and we shall implement collectively with collective leadership.

Note: On March 27, 2021 this "Federal Democracy Charter", Part I, "Declaration of Federal Democracy Union" has been discussed and validated at National Unity Consultation Council (NUCC).

Federal Democracy Charter

Part - II

Interim Constitutional Arrangement

2021

INTRODUCTION

CHAPTER 1

OBJECTIVE OF THE INTERIM CONSTITUTIONAL ARRANGEMENT

CHAPTER 2

INTERIM LEGISLATURE

Establishment of Federal Union Parliament

Region and State Legislature

Region and State Hluttaws or Parliaments

CHAPTER 3

INTERIM GOVERNANCE

CHAPTER 4

DUTIES AND MANDATES OF INTERIM NATIONAL UNITY GOVERNMENT

CHAPTER 5

NATIONAL UNITY CONSULTATIVE COUNCIL AND ITS DUTIES

CHAPTER 6

INTERIM JUSTICE

CHAPTER 7

GENERAL PROVISIONS

CHAPTER 8

COMMITMENTS ON BUILDING FEDERAL DEMOCRACY UNION

Introduction

The strong desire of ethnic nationalities living in the Federal Democracy Union is the emergence of the Federal Democracy Union that gives full guarantee to rights of democracy, equity and self-determination and that is based on the eternal principles namely, justice, equality and freedom. Values that respect and elevate the inherent rights and human dignity of ethnic nationalities, the principles, guiding principles and the process to be implemented or political road map have been prescribed in Part I of this Charter. Respective forces who will work hard to build Federal Democracy Union with collective force have already made commitment. We hereby validate and enact "interim constitutional arrangement" as Part II of the Federal Democracy Charter which will serve as the basis for formation of an Interim National Unity Government in order to build Federal Democracy Union by implementing the goal and objective as well as the steps of the political road map mentioned in Part I of the Federal Democracy Charter. The expression "region and state" used in the Part II of the Federal Democracy Charter applies only to the duration of this Charter. This interim constitutional arrangement shall only apply to the duration of the term of the Interim National Unity Government.

Chapter 1

Objective of the interim constitutional arrangement

1. To form Interim National Unity Government which will implement the goal, objective and steps of the political road map as prescribed in Part I of the Federal Democracy Charter;
2. To set and enact the structure, mandate and authorities of the Interim National Unity Government;
3. To determine activities that shall be implemented for the emergence of a Federal Democracy Union Constitution through the Constitutional Convention where all ethnic national people participate;
4. To protect the rights of the people during the term of the Interim National Unity Government.

Chapter 2

Interim Legislature

Establishment of Federal Union Parliament

1. Federal Union Parliament shall be established with two parliamentary houses of equal powers: Federal Upper House and Federal Lower house.
    a. Federal Lower House consists of parliamentarians who are elected by the constituents in respective constituencies of 2020 general elections either based on township or population;
    b. Upper House consists of equal number of parliamentarians elected in 2020 general elections by the member states of the Union (federal units).
2. During the interim period where there shall be difficulties to implement article 1, sub article (a) and (b), the parliamentary representative committees composed of elected parliamentarians from political parties who have won in 2020 general elections shall work on interim legislation issues as they agree to collaborate and implement the goal, objective and political road map of this Charter.
3. Parliamentary representative committees shall be composed of parliamentarians from political parties who have won in 2020 election, who do not collaborate with the military council of the junta and who have strived for the emergence of Federal Democracy Union.
4. Committee Representing Pyidaungsu Hluttaw shall undertake the union legislative issues.
5. Committee Representing Pyidaungsu Hluttaw shall develop and enact union legislative processes.
6. Committee Representing Pyidaungsu Hluttaw may form support committees.
7. Committee Representing Pyidaungsu Hluttaw shall validate and appoint President, Vice Presidents, Union Prime Ministers, Cabinet Ministers, and Deputy Ministers of the Interim National Unity Government.

Region and State Legislature

Issues related to region and state legislature shall be prescribed in respective region and state constitution. But state legislative issues shall be prescribed in this interim constitutional arrangement to apply during the interim period.

Region and State Hluttaws or Parliaments

1. Region and state hluttaws or parliaments shall be established as follows:
    a. State parliamentarians who have been elected two representatives for every township in 2020 general election in regions and states;
    b. State parliamentarians elected one representative for one ethnic group in 2020 general election by various ethnicities which have the appropriate population in regions and states.
2. During the interim period where there shall be difficulties to implement article 1, sub article (a) and (b), the committees representing region and state hluttaw composed of elected parliamentarians from political parties who have won in 2020 general elections shall work on interim legislation issues of the regions or states as they agree to collaborate and implement the goal, objective and political road map of this Charter.
3. Committees representing region and state hluttaws be composed of parliamentarians from political parties who have won in 2020 election, who do not collaborate with the military council of the junta and who have strived for the emergence of Federal Democracy Union.
4. Committees representing region and state hluttaw shall enact the legislative processes of regions and states.
5. Committees representing region and state hluttaw shall undertake the legislative issues of regions and states.
6. Committees representing region and state hluttaw may form support committees.
7. Committees representing region and state hluttaw shall validate and appoint region and state governments.

Chapter 3

Interim Governance

1. Committee Representing Pyidaungsu Hluttaw, in discussion with forces who have signed the agreements of this Charter, select, and appoint the President, Vice Presidents and Union Prime Minister.
2. President and Vice Presidents are the heads of state and represent the nation.
3. Union Prime Minister is the head of Interim National Unity Government.
4. Union Prime Minister shall appoint and give mandate to the ministers who are members of Interim National Unity Government with the agreement of Committee Representing Pyidaungsu Hluttaw. Union Prime Minister shall restructure and establish ministries as necessary with the agreement of Committee Representing Pyidaungsu Hluttaw.
5. Interim National Unity Government, in discussion with National Unity Consultative Council, to appoint and give mandate to region and state governments with the agreement of Committees Representing Region and State Hluttaw.
6. Union Prime Minister and Interim National Unity Government shall be accountable to Committee Representing Pyidaungsu Hluttaw (committee representing hluttaws at union level).
7. Individuals nominated by Committee Representing Pyidaungsu Hluttaw, individuals nominated by political parties who are involved in the drafting of the Charter, individuals nominated by ethnic armed revolutionary organizations, and individuals, academics and experts from organizations that are accountable to ethnic armed organizations shall be included in the formation of Interim National Unity Government.
8. Interim National Unity Government shall be formed with the entities as follows:
    a. President;
    b. State Counsellor;
    c. Vice President 1;
    d. Vice President 2;
    e. Union Prime Minister and
    f. Cabinet member ministers and deputy ministers.
9. Union Prime Minister shall assign the duties and authorities to an authority institution or an individual to develop and implement the objectives of the Charter, the policy and strategic plans of

the Interim National Unity Government in discussion with Committee Representing Pyidaungsu Hluttaw.

10. Interim National Unity Government, in discussion with National Unity Consultative Council, shall develop, validate, and apply union level and region or state level interim governance plan.
11. Sectoral committees and commissions shall be established as necessary with members of parliament, representatives of EAOs, political parties, civil society organizations and others suitable and appropriate individuals by respective minister to implement the policy and strategic plans of the Interim National Unity Government.
12. If the President cannot serve his duties, Vice President 1 shall assume the duties on behalf of the President.

Chapter 4

Duties and Mandates of Interim National Unity Government

1. Interim National Unity Government shall implement the political objectives, goal and political road map prescribed in this Charter.
2. Interim National Unity Government shall create space where partner political parties, ethnic armed revolutionary organizations and civil society organizations can work together in order to discuss and validate political agreements and implement the way forward.
3. Interim National Unity Government shall adopt a strategy for eradication of dictatorship, abolishment of 2008 Constitution and building of Federal Democracy Union and implement the strategy.
    a. Interim National Unity Government shall develop and implement ministerial plans while implementing the policies and strategic plans of Interim National Unity Government in accordance with the goal, objectives and political road map of the Charter.
    b. Interim National Unity Government shall apply a wide range of approaches such as political, economic, social, foreign affairs and diplomacy, defense and security to achieve the defeat of military junta.

    Politics

    Interim National Government:

    i. shall weaken the governance mechanisms of military council which is oppressing the people in violence and strengthen the legislative, executive and judicial pillars of Interim National Unity Government.
    ii. shall collaborate, discuss and work with National Unity Consultative Council (NUCC) which includes respective organizations and individuals for the establishment of Federal Democracy Union.
    iii. shall repeal laws that oppress the people and adopt laws which protect the fundamental human rights of the citizens and implement security of the people and rule of law.
    iv. shall continue to implement collectiveness and leadership necessary to ensure public movements including Civil Disobedience Movement (CDM) consistently continue to take place.

    Civil Disobedience Movement

    Interim National Unity Government:

    i. shall escalate the CDM to weaken and bring to a standstill the governance mechanism of the council of military junta.
    ii. shall provide assistance for the subsistence of the civil servants who are participating in the Civil Disobedience Movement.
    iii. shall take action against any civil servant or individual who do not participate in the CDM, are loyal to military council and participate in various acts of terrorism against the people and perpetuate the governance mechanism of the council of military junta.
    iv. shall establish a new public government mechanism based on the civil servants who are part of the CDM and stand together with the people during the movement against the military dictatorship.

v. shall honor and give awards to people who have been killed, wounded, arbitrarily arrested and their families during the struggle against the military dictatorship.
vi. shall set up programs to honor and give awards to civil servants who have participated in the CDM against the military dictatorship.
vii. shall set up capacity building programs for civil servants in the CDM and youth and students who participate actively in the general strikes.

Foreign Affairs

Interim National Unity Government:

i. shall work to get its formal recognition from international community by collaborating with international governments and international organizations including the United Nations, according to the foreign affairs policy.
ii. shall work on ratification of international conventions and treaties that will protect the nation and the people in line with international laws.
iii. shall implement strategic plans of Interim National Unity Government by collaborating with partner countries which are in favor of building of Federal Democracy Union.
iv. shall work with diplomatic approaches to bring effective sanctions of international community against the council of military junta and to file criminal charges in international courts.

Economy

Interim National Unity Government:

i. shall work in collaboration with both national and international organizations and the people to reduce and weaken the economic and financial resources that support the terrorism mechanism of the council of military junta.
ii. shall work in collaboration with both national and international organizations and individuals in favor of federal democracy and with the people to meet the economic and financial needs required for the strategic plan which will be implemented to quickly reach the political goals and objectives of Interim National Unity Government.
iii. shall adopt plans to provide protection and reduction of economic burdens that will impact the people due to the actions of the council of military junta.

Social Affairs

Interim National Unity Government:

i. shall facilitate ethnic people who have participated in the fight against dictatorship in the previous eras and have to emigrate to international countries if they want to reapply for Myanmar citizenship. Moreover, we shall provide arrangements for permanence residence inside Myanmar.
ii. shall collaborate and work with United Nations and International Aid Agencies to give humanitarian assistance to displaced persons and people whose social economy and livelihood have been affected by the oppression and violence of the council of military junta.
iii. shall organize and implement all that we can to ensure that the basic needs of the daily wage earners, informal workers and grassroot communities are met.
iv. shall work to obtain technical assistance from the diaspora of academia and technical experts.

Defense and Security

Interim National Unity Government:

i. shall develop, adopt, and implement the public defense and security issues and national defense arrangements in discussion with National Unity Consultative Council.

ii. shall develop, adopt, and implement the public protection arrangement as soon as possible to provide protection for the security of the people and the rule of law.

4. Interim National Unity Government shall convene Constitutional Convention to develop and adopt Federal Democracy Union Constitution.

   Interim National Unity Government and National Unity Consultative Council:

   a. shall develop and adopt policy, procedure and process of convening constitutional convention.
   b. shall establish Constitutional Convention Commission that is inclusive of all ethnic people for the emergence of Federal Democracy Union Constitution.
   c. shall discuss with ethnic armed revolutionary organizations for the establishment of federal democracy union, political parties and political forces which have the similar objectives for the establishment of federal democracy and convene a Constitutional Convention where ethnic peoples participate to discuss, develop and adopt Federal Democracy Union Constitution (draft).
5. Interim National Unity Government shall hold public referendum to adopt and enact the Federal Democracy Union Constitution developed by Constitutional Convention.
6. Interim National Unity Government shall be established legislative, executive and judicial pillars and practice constitutionalism according to the adopted and enacted Federal Democracy Union Constitution.

Chapter 5

National Unity Consultative Council and its duties

1. National Unity Consultative Council (hereafter referred to as "NUCC") shall be established to consult, discuss and work with federal democracy forces while implementing the strategic plans of Interim National Unity Government.
2. National Unity Consultative Council shall be established with the representatives who have agreed to the political goals and political road map prescribed in this Charter namely Committees Representing Pyidaungsu Hluttaw, political parties, ethnic armed revolutionary organizations, civil society organizations, CDM groups, groups leading the public movement and representatives nominated by Interim National Unity Government.
3. NUCC shall mobilize, discuss and negotiate with various democratic forces so they will join and participate in the strategic plans prescribed in this Charter.
4. National Unity Consultative Council shall participate in the issues related to convening the Constitutional Convention where ethnic peoples will join, the development of Constitution of Federal Democracy Union and holding a public referendum in negotiation and collaboration with Interim National Unity Government.

Chapter 6

Interim Justice

1. Interim National Unity Government and National Unity Consultative Council shall collaborate and negotiate to develop and implement interim judicial policy and plans.

Chapter 7

General Provisions

1. Interim National Unity Government shall act in accordance with this Federal Democracy Charter until interim constitution or Federal Democracy Union Constitution can be adopted and enacted.
2. Interim National Unity Government shall announce that all the laws, decrees, orders, instructions and orders that have power as of laws issued by the council of military junta (State Administration Council – SAC) starting from 1st February 2021 are unlawful.
3. The laws, decrees, orders, instructions and guidance issued by Committee Representing Pyidaungsu Hluttaw are in force until Committee Representing Pyidaungsu Hluttaw amends or issues others at the request of Interim National Unity Government.
4. If it is necessary to add, develop and implement the strategic plans because of the political changes that have taken place during the implementation of the goal and strategic plans prescribed in this

Charter, Committee Representing Pyidaungsu Hluttaw, Interim National Unity Government and National Unity Consultative Council shall collaborate and negotiate.

Chapter 8

Commitments on Building Federal Democracy Union

We shall implement the actions of Interim National Unity Government and legislative and judicial issues that will be complied with and undertaken in the interim period with collective leadership and collective accountability according to the Union vision, values, goal, objectives and political road map prescribed in Part I of this Charter.

We commit ourselves to bear and carry out only the interests of Federal Union and all the people in the issues related to politics, economy, society, international relations, defense and security that will be undertaken by Interim Government as prescribed in Part II of this Charter.

Acronyms

NUG: Interim National Unity Government
NUCC: National Unity Consultative Council
Constitutionalism: System based on constitution

Federal Democracy Charter

Part - I

Declaration of the Federal Democratic Union

2021

This Charter was declared on 31 March 2021. This Charter was ratified by the First People's Assembly which was convened on 27-29 January 2022.

Table of content

Preamble

Chapter 1 Goals and Objectives

Chapter 2 Members of the Charter

Chapter 3 The Road Map

Chapter 4 Drafting the Constitution of the Federal Democratic Union

Section I The Union Vision and Values

Section II The Guiding Principles for Building the Federal Democratic Union

Section III The Foundational Policies for Building the Federal Democratic Union

Chapter 5 Pledge

Conclusion

Federal Democracy Charter

Preamble

The ethnic nationalities, which historically existed as separate and independent entities, had collaboratively sought independence and built the Federal Democratic Union together. However, given that the constitutions adopted since independence, namely the 1947 Constitution, 1974 Constitution, and 2008 Constitution, failed to fully deliver the promises of democracy, national equality and self-determinations–the rights specified in the Panglong Agreement–the country has been suffering prolonged civil war for more than 70 years, and the people have suffered the woes of military dictatorship and one-party dictatorship which followed multiple military coups.

The 1974 Constitution, drafted and adopted by the military junta with the purpose of establishing one-party dictatorship, was abolished by the 8888 Uprising. Also, the 2008 Constitution, adopted without the consent of the people for the purpose of prolonging military dictatorship, was repealed by the mass movement waged since the beginning on February 1, 2021, against the military coup. The military coup itself spells an end to the 2008 Constitution since the coup breached the constitution the military had created.

The military took advantage of some errors in the electoral rolls of 2020 Elections and staged the coup and on that very day -- February 1, 2021 -- the people responded with different types of non-violent mass activities across the Union. Youths, women, civil service personnel, workers and labor unions, CSOs including women organizations, strike committees, various nationalities, others from all walks of life and political parties that reject the coup launched massive strikes and initiated the Civil Disobedience Movement and established the Committee Representing the Pyidaungsu Hluttaw (Union Parliament).

We believe that the eradication of military dictatorship can only be achieved if all elements collaborating in the movement against the military coup are organized

into a single force under the collective leadership of all revolutionary stakeholders. We also believe that a constitution which guarantees democracy, national equality and self-determination can be adopted and a strong federal democratic union established when all types of dictatorship, including military dictatorship, are uprooted.

The entities which agree and accept this charter, embracing the specified values, will work for eradication of dictatorship and establishment of the Federal Democratic Union step by step. It is pledged that the Federal Democratic Union will be established based on the political road map, the guiding principles and policies for drafting the constitution. This charter is endorsed and adopted with the strong belief that the collective implementation resulting from the collective leadership of those who agree and accept the charter will generate the synergy that would convey us to the envisioned destiny.

Chapter 1
Goals and Objectives

The military coup group, which staged the coup, ignoring the people's aspirations for federal and democratic rights, is committing nation-wide terrorist acts. In this situation, it is necessary to convene a People's Assembly and form the National Unity Government, which are vested with power by entities representing the people. It is intended that those entities which ratify this charter are to collectively pledge to work, with the leadership of those organizations representing the people resisting the dictatorship in accord with the road map stipulated in Chapter Three, for restoration of stability and for development of a new federal constitution for the betterment of the future state and emergence of genuine civilian government based on the constitution.

In addition, the members of this charter aim at undertaking the following tasks in order to end the conflicts within the union and their root causes, to achieve the people's cooperation and to develop a Federal Democratic Union of mutual respect, amicability and unity based on the values of democracy, freedom, equality and justice:

1. To eradicate all sorts of dictatorship, including military dictatorship;
2. To completely abrogate the 2008 Constitution;
3. To build the Federal Democratic Union; and
4. To develop a people's civilian government.

Chapter 2
Members of the Charter

The following categories of groups have cooperated in order to collectively deliver the goals and objectives specified in this charter:

1. The elected members of parliament including CRPH;
2. The political parties;
3. The civil society organizations, including unions, women, youths and minorities concerned groups, the CDM organizations against dictatorship, and mass movement strike organizations;
4. The Ethnic Resistance Organizations; and
5. The Interim State/Federal unit representative and Ethnic-based organizations/council

Chapter 3
The Road Map

1. To mobilize, encourage and support the mass movements, including CDM, in order to completely end the military coup and to eradicate all sorts of dictatorship, including military dictatorship, so that the Federal Democratic Union could be established
2. To cooperate in respective sectors through the formation of committees representing parliaments with the elected members of parliaments
3. To develop a platform where allied political parties, Ethnic Resistance Organizations, the civil society organizations including unions, women, youths and minorities concerned groups shall collaborate to deliberate political agreements and implement the action plan
4. To draft and ratify the Federal Democracy Charter
5. To form the Interim National Unity Government, legislative and judiciary institutions in accordance with this Charter
6. To call a People's Assembly with the participation of all forces with common goals of the ultimate end of dictatorship and establishment of the Federal Democratic Union
7. To develop the strategy to end dictatorship, to abrogate the 2008 Constitution and to establish federal democratic union
8. To draft a Transitional Constitution
9. To form a Transitional Government
10. To draft and endorse the Federal Democratic Constitution by convening the Constitutional Assembly
11. To ratify the Federal Democratic Constitution endorsed by the Constitutional Assembly by holding a referendum and holding elections
12. To form legislative, executive and judiciary bodies as per the ratified Federal Democratic Constitution and to practice constitutionalism

Chapter 4
Drafting the Constitution of the Federal Democratic Union

The Constitution essential for building the Federal Democratic Union is to be drafted in accordance with the following guiding principles based on this Charter.

Section I: The Union Vision and Values
Section II: The Guiding Principles for Building the Federal Democratic Union
Section III: The Foundational Policies for Building the Federal Democratic Union

Section I
The Union Vision and Values
Union Vision

The peaceful Federal Democratic Union, which guarantees freedom, justice, and equality, shall be established.

The Union Values

The following values shall be embodied in building the union:

1. Fundamental Human Rights;
2. Democratic Rights;
3. Minority Rights;
4. Equality and Self Determination;
5. Collective Leadership;
6. Pluralism, Mutual Respect and Mutual Recognition;
7. Unity in Diversity;
8. Gender Equality; and
9. Non-Discrimination (race, religion, language, literature, culture, gender, differently abled, sexual orientation)

Section II
The Guiding Principles for Building the Federal Democratic Union

1. The constituting states of the union and people in those states are the original sources of the sovereignty.
2. The Federal Democratic Union is constituted with the member states which retain the full rights of equality and self-determination. All constituting states (all federal units) of the union are politically equal.
3. The constituting states of the union retain rights to draft and ratify respective state constitutions.
4. The power sharing, revenue sharing and fiscal federalism shall be practiced. In doing so, the "subsidiarity principle" that is the essence of power sharing shall be extended to the government closest to the people.
5. All federal security and defense forces shall be under the command of the democratically elected civilian government. The principle of human security shall be practiced.

Section III
The Foundational Policies for Building the Federal Democratic Union

The Form of the Union

1. The Federal Democratic Union imbued with the characteristics of federalism and committed to practicing full democratic rights, equality and self-determination shall be established.
2. The Federal Democratic Union is constituted with members states which fully retain democracy, equality and self-determination.
3. Every constituting state of the union retains separate legislative, executive and judicial powers.

The Sovereignty of the Union

4. The member states of the Union and people in these states are the original owners of sovereignty.
5. The three pillars of the sovereignty of the Federal Democratic Union— legislative, executive and judiciary powers — are exercised independently and provide oversight to each other.
6. The sovereignty of the Federal Democratic Union is divided between the union and the constituting states. In order to implement division of powers between the union and the constituting states systematically, the union powers, the state powers and concurrent powers shall be specified. Only those powers necessary to maintain the common interests of all the constituting states of the federal union shall be vested in the union. The residual powers, not specified as union powers, state powers or concurrent powers, shall be vested in the constituting states.

Legislation of the Union

7. The federal legislature shall be comprised of Federal Upper House and Federal Lower House of equal status. The Upper House shall be constituted with equal number of representatives nominated by respective states. The Lower House shall be constituted with representatives elected based either on townships or on populations. The bicameral legislature shall make the union laws.

The Executive of the Union

8. The executive of the federal union shall be the parliamentary system led by the Prime Minister. The Prime Minister-led cabinet shall be complimented with Union Chancellor or Union President.

The Judiciary of the Union and the Constitutional Court

9. The Federal Union Supreme Court and the Federal Courts at different levels are to be formed in order to practice federal judicial power. The federal legislature shall vet and approve the appointment of the Chief Justice of the federal union nominated by the President of the Federal Union.

10. An independent constitutional court shall be formed to settle disputes between the federal union and the states or among the states.
11. The federal constitution is the supreme law of the union.

The Constitutions of the States

12. The constituting states of the union shall retain rights to draft and ratify their own constitutions.
13. The state's constitution shall clearly and precisely specify the powers in the state level as well as the list of taxation it may collect.
14. The political, social, economic, cultural and customary rights of every ethnic nationality within the states shall be preserved and promoted.
15. The official language of each state shall be adopted by each respective state as appropriate.

Independent Commissions

16. The federal union shall form the following independent commissions. In addition, other commissions shall also be formed as necessary.
    a. Anti-Corruption Commission
    b. Election Commission
    c. Human Rights and Anti-Discrimination Commission
    d. Right to Information Commission
    e. Commission on Gender-based Violence and Domestic Violence
    f. Transitional Justice and Reconciliation Commission
    g. Commission for Protecting and Preserving the Minority Rights
    h. Commission for the Resettlement of Displaced People
    i. Women Rights Commission
    j. Child Rights Commission
    k. Labor and Farmer Rights Commission
    l. Farmer and Land Rights Commission
    m. Rights of the Differently Abled Commission
    n. Youth Affairs Commission
    o. Gender Equality Commission

Politics and Religion

17. The federal union shall practice secularism.

Fiscal Federalism

18. The list of taxation between federal government and state governments are to be precisely and systematically specified. The taxation mechanism of the union and those of states are to be established separately.
19. The Fiscal Management and Sharing Laws between the union and states are to be stipulated. The equitable fiscal distribution policy shall be adopted to practice equitable development of the constituting states.

Land and Natural Resources

20. The law on the land and natural resources management and sharing between federal union and constituting states shall be drafted and enacted.
21. The original owner of all of land and natural resources within each state is the people of that state. The state shall have the right to independently manage the exploration, extraction, trading, preservation, and protection of the natural resources within the state.
22. The respective states in the federal union shall retain the right to manage and benefit the revenue earned from natural resources.

23. The extraction and production of natural resources shall require obtaining the consent of the people of the respective local communities and, in addition, shall deliver direct benefit to the development of the area. Separate taxes shall be collected, and a fund program shall be developed and enacted to remedy the negative impacts to the communities and natural environment and the damages to the ecosystem due to the extraction of natural resources.

Fundamental Rights

24. Everyone residing in the union shall fully enjoy fundamental human rights.

25. Every ethnic nationality born in the union shall fully enjoy individual rights as an individual and collective rights which respective ethnic nationalities are entitled to.
26. Every citizen of the union shall fully enjoy Fundamental Rights of Citizens and Cultural Self-Determination.
27. Every citizen of the union shall fully enjoy fundamental individual rights regardless of race, religion, gender, differently abled, and sexual orientation.

Economic, Social and Cultural Rights

Economic Rights

28. Every citizen of the union shall have rights to own, transfer, liquidate and inherit all rightly acquired assets.
29. Any citizen's property rights shall be revoked legally only for public interest. The confiscation shall be conducted only after the balancing it against the public interest benefits and only with the decent compensation.
30. Every citizen of the union is entitled to choose work and right to work regardless of their birthplace, religion, class, gender, differently abled, color, race or age.
31. Every citizen of the union is entitled to conduct economic activities freely for their livelihoods and to establish economic institutions freely.
32. In practicing the above mentioned right as per article 31, the economic policies and plans of the union, state security, public interest and health shall not be compromised.
33. Every citizen of the union is entitled to freedom of innovation and to intellectual property rights in accord with the laws.
34. A particular social group shall inherently be entitled to preserve, utilize, manage, and transfer the ancestral natural heritage, cultural heritage and customary technical heritage.
35. The migration and movement of a citizen from the home state to another state for the purpose of settlement or economic activities shall be subject to the respective states' laws and regulations.

36. The union powers, the state powers and concurrent powers on foreign investment shall be stipulated. The residual powers shall remain with the states.

Social Rights

37. Every citizen of the Federal Democratic Union shall have rights to:
    a. Freedom of education;
    b. Freedom of choice in higher education, technical know-how and vocational education; and
    c. Access to free and compulsory basic education.
38. Ethnic nationalities' mother tongue-based education shall be implemented in accordance with the self-determination of the federal unit. Federal democratic education shall be practiced.
39. The rights to establishment of private schools, universities, and science and vocational schools in accord with the laws shall be guaranteed.
40. Every citizen of the Federal Union shall be entitled to free basic health care. The federal health care system shall be developed and practiced.
41. Everyone living in the union shall be equally entitled to social rights.

Press Freedom

42. The independence of Press and its right to access and disseminate information shall be protected.

Cultural Rights

43. Ethnic nationalities' collective rights such as language, historical heritage, customary practices, and identities shall be protected and preserved.
44. All people living in the Federal Democratic Union shall be entitled to speak, learn and promote their own languages and literature freely.

Special Rights Measures

45. Ethnic nationalities' traditional customs and languages shall be protected, preserved and promoted freely in accord with international human rights

standards. National characteristics and cultural rights which are inherent rights of ethnic nationalities shall not be compromised under any situation.

46. Ethnic people shall have equitable socioeconomic and cultural rights. They shall be entitled to the progressive actions and affirmative actions as well.
47. Discrimination, directly or indirectly, against race, faith, gender, physical or mental disability, sexual orientation, skin color and any other type of discrimination are completely prohibited. In addition, the right to be protected from discrimination shall be promoted, protected and respected.
48. In order to realize equality in the Federal Democratic Union, a quota system of at least 30 percent of women in different levels of decision-making mechanisms shall be practiced.
49. **Child Rights**
    a. Every child shall be entitled to the protection. Every child shall enjoy the support and care of the whole nation.
    b. The children shall not be separated from their family without the consent of parents or guardians. It is the natural rights of parents to nurture and mentor their children. The child rights law which is enacted by the federal union parliament in accordance with the Child Rights Convention of the United Nations, shall be followed. In case of the parents' absence of their duties or the children's lack of refuge for various reasons, the separation of children from their family shall be undertaken in accordance with the laws.
    c. Children shall be protected from economic and social abuse. They shall be protected from employment which will damage their morality, health, life, physical development and right to education.
    d. The federal union parliament is to enact the child rights law.

50. **Labour rights**

    The international norms and conventions including the following rights are to be abided by when State Parliaments and Federal Union Parliament enact the laws on labour rights:

    a. For everyone to be able to make a living in human dignity:
        i. The right to proper working conditions;

ii. The right to social security and social protection;
iii. The right to fair working hours;
iv. The right to holidays and leaves; and
v. The right to freely form and associate with unions (ILO Convention 87) and to make collective negotiation and demands (ILO Convention 98).

b. Legislation pertaining to local and international migrant labor and foreign workers shall be promulgated.

51. **Farmers' Right**
    a. Every farmer shall be entitled to:
        i. Grow, sell and produce crops freely;
        ii. Pay taxes in money; and
        iii. Form farmers' unions freely.
    b. Farmers' rights relating to respective sectors are to be enacted by State Parliaments and the Federal Union Parliament.

Realization of Equality

52. The affirmative action policies enacted by the Federal Union Parliament in order to provide protection and support to the ethnic nationalities and groups who have been suffering from the deprivation of rights and underdevelopment in all aspects, the group of citizens with low capacities, or the groups marginalized due to some customary practices shall not be restrained by the principle of equality for every citizen.
53. In order to collaborate and participate in political decision making, opportunities for political participation of Minorities within Minorities residing within states shall be created. In addition, policies of affirmative action are to be stipulated in all sectors.
54. Environmental Rights
    a. Every citizen of Federal Union shall be free from sufferings resulting from environmental damages and is entitled to a natural and healthy environment.

b. The Federal Union and respective State Governments shall recognize the rights of indigenous people to protect and preserve the natural environment and their rights to control and limit the excessive extractions of natural resources that will damage the natural environment.

The Fundamental Principle of Federal Security and Defense

55. The security and defense policies of the Federal Union are to be based on human security. All troops for the federal union's security and defense are under the administration of the democratically elected civilian government.
56. The Federal Parliament shall enact the security and defense policies of the Federal Union. The security and defense budgets shall be reviewed and approved by the Federal Parliament.
57. The Federal Police Force and State Police Forces shall be formed separately and independently. The forces for States' security shall be formed. States' police forces and States' security forces shall be under the administration of the respective State Governments. The budgets of State Police and State Security Force shall be reviewed and approved by the state parliaments of the respective states.
58. The government of the Federal Union and the governments of respective states shall decide in coordination to effectively use the security forces in times of the emergencies of the Federal Union's security and natural disasters and rescue operations.
59. The National Security and Defense Council of the Federal Union shall be formed. The council shall be formed with at least one member of the Security Councils of each State and federal personnel. The number of federal personnel shall not exceed more than 30 percent of the total council members.

The Security System of the Federal Union

60. The Security System of the Federal Union shall guarantee division of powers among federal, state and local-level civilian governments and the sharing of rights entrusted in groups or persons and separation of decision-making

powers; geographically sensitive strategies and security personnel appointments that reflect customs, concerns and needs of the local people; the security for the people, the safety of the community and the defense of the union; inclusive organizations, forces and services with the participation of various ethnic groups.

Administration and Public Services

61. The policy on the recruitment and training for the administration and public services shall be precisely stipulated. The government of the Federal Union shall stipulate the curriculum of the civil service training academies. In order to train personnel who will be working in the administrative and public services sectors, the Federal and State Governments shall coordinate and/or cooperate in stipulating policies, setting norms and designing the curricula for the Civil Service Selection and Training Academies. The Curricula shall be reviewed and revised as necessary to keep up with developments in the political, socioeconomic and technological fields.
62. The respective states shall open and administer the civil service academies for those who are to serve at states.

Inter-Governmental Relations

63. Joint committees of the heads of the states shall be formed in order to jointly solve disputes or controversies should such issues arise between the Federal Union and the states and among states. The joint ministerial committees shall be formed to cooperate on different sectors. The joint fiscal committee shall be formed in order to manage revenue sharing. The tenure of the committees shall be determined by each issue.
64. The heads of the states rank above the Union Ministers in the Structure of the Federal Union.

Chapter (5)
Pledge

The Charter is ratified before the People's Assembly, as collective pledge for collaboration by all organizations involved in the revolutionary movement for ending military dictatorship and building the Federal Democratic Union. In accordance with the Charter, we will lift the country out of the current crisis and secure a society which guarantees the rule of law, strong democracy, and accountable government with collective de jure and de facto leadership. At present, the country lacks legitimate government, and the people suffer from the violent rule of the terrorist military junta that staged the coup. As a result, the country is experiencing a state of chaos. The situation requires a united government, which will secure a stable country free from military rule. Accordingly, the revolutionary stakeholders who uphold justice and truth, hereby, ratify the Charter with deep trust and solemnity before the People's Assembly.

The duties that we bear as per the roadmap are significant and noble. We mutually make a pledge to work collaboratively to end the chaos and terror and to bring security, stability and peacefulness; to replace military dictatorship with democracy; to end hatred and to nurture sympathy and empathy based on truth; and to eradicate oppression and bring freedom. We will fulfill the pledge with true respect, responsibility, and solemnity.

The Charter is officially binding. In addition, it signifies the mission based on morality. Accordingly, as the duty bearers of the Charter, every member organization is trusted as being accountable to each other; all members of the member organizations; the people of the Union of Myanmar; and the future generations.

- The goal and objectives of this Charter shall be implemented in accordance with the collective leadership of the People's Assembly in order to build the

Federal Democratic Union, which guarantees freedom, justice, equality and peace.

- When building the Union, the member states of the Union shall have full self-determination and decision-making rights based on the union sovereignty and values as agreed upon and stipulated in provision 1, 2 and 3 under "The Form of the Union" and provision 4 of "The Sovereignty of the Union" of Section III.
- The fundamental rights, gender equality and minority rights shall be secured. To ensure that every citizen achieves social security and human security, the Federal Security and Defense Policies based on the concept of human security shall be enacted and practiced.
- Policies that will support elevating social standards of the citizens, innovation and entrepreneurship will be enacted and practiced.
- Effective policies shall be initiated for Universal Education accessible to everyone and Mother-Tongue-Based Education system, Universal Health Coverage relating to persons with disabilities, children, elderly people, and women's rights including pregnant women; as well as the policies the reduction of the misuse and abuse of narcotic drugs and its subsequent harm, treatment and rehabilitation.
- Authority and power not vested by the people shall be revoked. The civilian administration based on elections will be established. The government which does not have accountability and responsibility shall be eliminated by the people's power. It is guaranteed that the original source of the sovereignty is the people. It is ensured that the State's power is only in the hands of people.
- The contents and the policies specified in this Charter are not only the action plans to be implemented as Interim Constitutional Arrangements of the upcoming Interim Government but also the fundamental principles to be applied in drafting the Constitution of the Federal Democratic Union.

Conclusion

The leaders of ethnic nationalities sought independence by signing the Panglong Agreement in 1947 and endeavored to build a federal union of congregating states. They envisaged a federal union with peaceful coexistence that upheld freedom, equality, diversity, collective leadership and self-determination as union values. Accordingly, the Union's original Charter—the Panglong Principles, Promises, and Spirit—must be revitalized and reclaimed in order to build the peaceful federal union. The Constitution of the Federal Union shall be redrafted. Constitutionalism, the administrative system governed in accordance with the Constitution must be practiced. Necessary legislative, administrative, and judicial reforms shall be carried out. True characteristics of a union shall be built. Building union characteristics, in both form and essence, shall be implemented. Union built in unity with collective leadership shall stand tall in the world.

It is proclaimed that the Federal Democracy Charter is collectively drafted and shall be fulfilled through collective leadership with the purpose of building the Federal Democratic Union where freedom, peace, prosperity, and development are guaranteed, and the Union Values and Principles are well respected.

Federal Democracy Charter

Part – II

Interim Constitutional Arrangements

2021

This Charter was declared on 31 March 2021. This Charter was ratified by the First People's Assembly which was convened on 27-29 January 2022.

Table of Content

Preamble

Chapter 1	Objective of the Interim Constitutional Arrangement
Chapter 2	People's Assembly
Chapter 3	National Unity Consultative Council (NUCC)
Chapter 4	Roles and Responsibilities of the Interim National Unity Government
Chapter 5	Interim Legislature
Chapter 6	Interim Administration
Chapter 7	Interim Judiciary
Chapter 8	Administration, Legislation and Judiciary of the States/Federal Units
Chapter 9	Arrangements for the Transitional Period
Chapter 10	Amendment and Addition to the Charter
Chapter 11	General Provisions
Chapter 12	Pledge to Build the Federal Democratic Union

Preamble

The strong desire of all the people including ethnic nationalities living in the Union is for the emergence of a federal democratic union that fully guarantees the rights of democracy, equity and self-determination and that is based on freedom, justice, and equality.

The Federal Democratic Union's "Part One of the Federal Democracy Charter" has already stipulated the standard of values and respect for the inherent rights and human dignity of ethnic nationalities as well as the basic principles, guiding principles and the political roadmap or the implementation process in building the Union.

Respective forces which will be building the Federal Democratic Union through their collective strength have already pledged their commitment to that effort.

The "Interim Constitutional Arrangements" are validated and ratified as "Part Two of the Federal Democracy Charter" so that goals and objectives stipulated in "Part One of the Federal Democracy Charter" can be realized and various phases of the political roadmap are implemented step by step when building the Federal Democratic Union. The term of the "Interim Constitutional Arrangements" shall end on the day the Transitional Constitution is enacted and comes into force.

Chapter (1)
Objective of the Interim Constitutional Arrangement

1. To carry out missions aimed at the elimination of all kinds of dictatorship, including military dictatorship, and to undertake any necessary task for the emergence of the Transitional Constitution;
2. To convene a People's Assembly with forces that share the common goals of eliminating all kinds of dictatorships, including military dictatorship, and of building the Federal Democratic Union;
3. To form the National Unity Consultative Council (NUCC) to play a leading role in implementing the goals and objectives specified in Part One of the Federal Democracy Charter as well as the steps of the political roadmap;
4. To enable the Committee Representing Pyidaungsu Hluttaw to constitute the Interim National Unity Government and stipulate the latter's structure, roles and responsibilities in coordination with and agreement of the NUCC;
5. To institute bodies needed for the federal democracy revolutionary period and to specify their structures, roles and responsibilities; and
6. To enable the NUCC to develop preparatory arrangements for the transitional period

Chapter (2)
People’s Assembly

Objective

7. For the sake of eliminating all types of dictatorship, including military dictatorship, and building the Federal Democratic Union, the People's Assembly shall be convened to enable all federal democratic forces to work together in consulting, deliberating and ratifying the basic principles, policies, strategies and transitional arrangements concerning political, social, economic, security issues and elimination of dictatorship.

Structure and Process for Convening the Assembly

8. The NUCC shall lead the convening of the People’s Assembly. It shall develop the Terms of Reference for the successful convening of the People’s Assembly.
9. The following entities which agree with the Federal Democracy Charter, shall participate in the People’s Assembly:
   a. Elected members of parliament, including the CRPH;
   b. Political parties;
   c. Unions; women’s groups;, Civil Society Organizations, including those working on affairs of youth and minorities; civil disobedience movement groups fighting against dictatorship, including civil servants; and strike groups;
   d. The Ethnic Resistance Organizations; and
   e. Interim State/Federal unit representative and Ethnic-based organizations/councils.
10. The members of the People’s Assembly are the official representatives of their respective organizations and thus shall stand by the resolutions of the assembly and cooperate in implementing them.

Roles and Responsibilities

11. The People's Assembly shall:

    a. Provide guidance in building the Federal Democratic Union based on the principles of freedom, equality, justice and self-determination; and share collective responsibilities among the member organizations;

    b. Undertake deliberations and ratification of basic principles, policies, and strategies relating to political, economic, social, and security affairs; and the elimination of dictatorship;

    c. Deliberate on and ratify the Federal Democracy Charter agreed and submitted by the NUCC (temporary);

    d. Form the NUCC with representation of all forces participating in the People's Assembly;

    e. Approve the formation of the National Unity Government (NUG);

    f. Review and ratify the policies of the NUCC and NUG; specify the key tasks and areas; and evaluate the outcome of their performances;

    g. Approve the committees, councils, and commissions formed by NUCC;

    h. Deliberate and approve the transitional arrangements and implementation plan;

    i. Ratify the Transitional Constitution; and

    j. Approve the Federal Democratic Constitution drafting process, initiated by the NUCC.

12. Convening of the Assembly

    a. The People's Assembly shall be convened once every six months.

    b. An emergency session of the Assembly shall be convened as necessary.

    c. The meeting quorum is 60% of the delegates. The NUCC shall decide the validity of the assembly in times of unexpected situations in regular sessions of the Assembly and in emergency sessions of the Assembly.

13. The decision making of the Assembly

a. The Assembly shall decide by Sufficient Consensus of more than 65%.

Chapter (3)
National Unity Consultative Council (NUCC)

Objectives

14. The objectives of the NUCC are:

   a. To play a leading role in implementing the goals and objectives of the Federal Democracy Charter and the Political Roadmap;

   b. In implementing the policies and strategies stipulated by the People's Assembly, to coordinate and give policy guidance based on the principles of collective leadership during the interval between each People's Assembly session; and

   c. To unify all forces which share the common goals of eliminating the military dictatorship and building the Federal Democratic Union and to coordinate and bring all the forces together to participate in the implementation of the strategic tasks in accordance with the Federal Democracy Charter.

Composition

15. The NUCC shall be composed of representatives from the following entities:

   a. Elected members of parliament, including the CRPH;

   b. Political parties;

   c. Unions; women's groups; Civil Society Organizations, including those working on affairs of youth and minorities; civil disobedience movement groups fighting against dictatorship, including civil servants; and strike groups;

   d. The Ethnic Resistance Organizations; and

   e. Interim State/Federal unit/Ethnic representative groups/committees.

16. The Presidium and Technical Secretariat are to be formed within the NUCC with an appropriate number of members.

Roles and Responsibilities

17. The Roles and Responsibilities of the NUCC are:

    a. To lead the drafting of the Federal Democracy Charter, which shall be ratified by People’s Assembly;

    b. To mobilize, organize and coordinate so that all forces that share the common goals of eliminating dictatorship and building the Federal Democratic Union shall practically participate in the efforts;

    c. To be accountable to the People's Assembly in deliberating and deciding on policies in the period between People's Assembly sessions;

    d. To develop the strategy for the elimination of all kinds of dictatorship, including military dictatorship, and building the Federal Democratic Union;

    e. To provide policy guidance, oversight and coordination for the implementation of strategies stipulated by the Federal Democracy Charter in the context that the 2008 Constitution has been abrogated;

    f. To deliberate on transitional arrangements and submit them to the People’s Assembly for approval;

    g. To lead the drafting of the Transitional Constitution and to submit it to the People’s Assembly for ratification;

    h. To lead the implementation of the Federal Democratic Constitution drafting process approved by the People's Assembly;

    i. To be accountable to the People’s Assembly;

    j. To invite relevant ministers of the National Unity Government to the Council’s meetings, depending on the subject of discussion; and

    k. To form technical support teams as necessary for the effectiveness and success of its missions.

Committees and Commissions

18. To facilitate sectoral coordination for the purpose of building the Federal Democratic Union, NUCC member organizations and NUG representatives shall form the bodies needed. In doing so, the NUCC and the NUG shall nominate sectoral experts with whom Joint Coordination Committees, Commissions and Working Groups shall be formed and given assignments as necessary.

19. Committees, Commissions and Working Groups formed by the NUCC shall prepare their TORs and work plans clearly and precisely, which shall be approved by the NUCC. The committees and commissions can form their technical support teams with the approval of the NUCC.

Chapter (4)

Roles and Responsibilities of the Interim National Unity Government

20. The Interim National Unity Government shall implement the political objectives, goals and political roadmap as specified in this Federal Democracy Charter.

21. In the implementation of the action plans stipulated by the NUCC, the Interim National Unity Government shall work in cooperation with allied political parties, Ethnic Resistance Organizations, and Civil Society Organizations.

22. In order to end military dictatorship and to build federal democracy, the Interim National Unity Government shall develop and implement policies and strategies in accordance with the strategic goals specified by the NUCC.

    a. In accordance with the goals and objectives of the Charter and the Political Roadmap, ministries under the Interim National Unity Government shall develop policies and strategic programs for implementation.

    b. With the purpose of eliminating all kinds of dictatorship including military dictatorship, the Interim National Unity Government shall employ political, economic, social, foreign affairs, diplomatic, security, defense and all other means available.

23. Political Affairs

    a. The Interim National Unity Government shall work in coordination with National Unity Consultative Council in order to weaken the terrorist military coup group's administrative and bureaucratic mechanisms and to strengthen the Interim National Unity Government's capabilities in the implementation of its tasks.

    b. It shall work to build the Federal Democratic Union in accordance with the policy guidance of the National Unity Consultative Council.

    c. It shall work to amend and abolish the oppressive laws, draft the bills

protecting basic human rights in order to provide the people with security and rule of law, and enact them into laws in line with Chapter (5) Interim legislature.

d. It shall extend all necessary assistance and carry out organizational mobilization and coordination tasks through collective leadership to ensure that non-violent mass movements, including the Civil Disobedience Movement, continue unabated.

e. It shall work in collaboration with the people as well as internal and external organizations which support federal democratic activities with the aim of waning or weakening the economic and financial sources which are contributing to the perpetration of terrorist acts by the military coup clique.

f. It shall fulfill the economic and financial needs necessary to expeditiously carry out the strategic actions for accomplishing the political goals of the Interim National Unity Government in collaboration with the people and local and international individuals supporting Myanmar's federal democratic movement.

g. It shall work to deny the military clique any representation at international fora and meetings in collaboration with all organizations and groups that support Myanmar's federal democratic movement.

24. Foreign Affairs

a. The Interim National Unity Government shall work to gain the recognition, support and cooperation from governments internationally in building of the Federal Democratic Union.

b. In accordance with its foreign policy, the Interim National Unity Government shall seek official recognition from the international community in collaboration with international governments and organizations, including the United Nations.

c. In accordance with international laws, the Interim National Unity Government shall sign international conventions and treaties which will

protect the Union and its people.

d. In implementing its strategic plans, the Interim National Unity Government shall collaborate with friendly countries that support the federal democracy movement.

e. The Interim National Unity Government shall apply diplomatic means to increase the efficacy of sanctions imposed on the military coup clique by the international community and also to file criminal charges against the clique in international courts of justice.

25. Economic Affairs

a. The Interim National Unity Government shall work in collaboration with responsible, accountable and transparent national and international organizations that observe international norms so as to weaken and undermine the economic and financial resources which are enabling the military coup group to commit acts of terrorism.

b. The Interim National Unity Government shall endeavor to boost money circulation, to meet cash requirements and to improve the basic economy of the people.

c. The Interim National Unity Government shall develop programs to shield the people and lessen the impact of the economic burden arising from acts committed by the military coup group.

d. The Interim National Unity Government shall commence drafting the economic policy relevant to the period of building the Federal Democratic Union.

26. Social Affairs

a. The Interim National Unity Government shall facilitate the applications for Myanmar citizenship by the people of various ethnic nationalities in exile living overseas because of economic, social, or military oppression under the dictatorship or because of their participation in the efforts to eliminate dictatorship in different eras. In addition, it shall undertake arrangements for their permanent residency in Myanmar.

b. The Interim National Unity Government shall work in collaboration with the United Nations and international aid organizations to provide support to the displaced people and those who are experiencing socioeconomic and livelihood difficulties due to the violence and brutality practiced by the military coup clique.

c. The Interim National Unity Government shall do its best to support the basic living needs of the common people.

d. The Interim National Unity Government shall seek technical support of scholars and-experts who are living overseas.

27. Security and Defense

a. The Interim National Unity Government, in coordination with National Unity Consultative Council, shall develop national-level defense arrangements to provide security and protection to the people, and defend the union

b. The Interim National Unity Government shall immediately develop people's protection measures to ensure that people are secure and rule of law prevails.

c. The Interim National Unity Government shall recognize the role of and coordinate with the respective Ethnic Resistance Organizations based in the state concerned when it carries out security and defense arrangements to protect the people of that state.

Chapter (5)
Interim Legislature

Legislature of the Federal Union

28. The legislative power of the Federal Democratic Union for the interim period is vested with the Union-level members of parliament elected in the 2020 multi-party general elections who are not cooperating with the terrorist military coup clique.

29. The Committee Representing Pyidaungsu Hluttaw shall be formed with Union-level members of parliament elected in the 2020 multi-party general election who accept the Federal Democracy Charter and agree to cooperate in its implementation and who do not cooperate with military coup clique.

30. The Committee Representing Pyidaungsu Hluttaw, when it performs the interim legislative tasks of the union shall enact laws to implement policies and strategies stipulated by the National Unity Consultative Council in accordance with the goals, objectives, and roadmap specified in the Federal Democracy Charter.

31. The Committee Representing Pyidaungsu Hluttaw shall hold policy deliberations and reach agreement with the National Unity Consultative Council before amending, repealing, and promulgating laws and when working on legislative matters in accordance with the Federal Democracy Charter and the strategic framework stipulated by the NUCC.

32. The Committee Representing Pyidaungsu Hluttaw may convene the Pyidaungsu Hluttaw to initiate legislative processes for the implementation of the political roadmap and strategic plan.

33. The oppressive laws shall be amended or abrogated, and laws to protect fundamental human rights shall be enacted.

INTERNA
L

INTERNA
L

Chapter (6)
Interim Administration

The Administration of the Federal Union

34. The Interim National Unity Government shall be formed in order to implement the interim administration.

35. The Committee Representing Pyidaungsu Hluttaw shall form the Interim National Unity Government in coordination and agreement with the NUCC.

36. The President and the Vice-Presidents are the Heads of State representing the Union.

37. The Prime Minister is the Head of the Interim National Unity Government.

38. The Prime Minister and the Interim National Unity Government shall be accountable to the National Unity Consultative Council and the People's Assembly.

39. The Interim National Unity Government shall be formed with the following positions:

    a. President;

    b. State Counsellor;

    c. Vice-President (1);

    d. Vice-President (2);

    e. Prime Minister of the Union;

    f. Union Ministers and Deputy Ministers;

    g. Attorney-General of the Union; and

    h. Auditor-General of the Union.

40. The State Counsellor shall advise the Interim National Unity Government in accordance with the strategy set up to implement the roadmap and political goals of the Federal Democracy Charter.

41. The tenure of the State Counsellor shall be the same as that of the Interim National Unity Government.

42. The Prime Minister of the Union, in consultation with the National Unity Consultative Council, shall assign and empower a certain authoritative organization, or an individual, or a number of individuals with responsibilities to develop and implement the objectives of the Federal Democracy Charter and the policies and strategic plan of the Interim National Unity Government.

43. The Interim National Unity Government, in coordination with National Unity Consultative Council, shall prepare and stipulate the Union-level Interim Administrative Action Plan.

44. Ministers concerned shall facilitate the formation of sectoral committees and commissions comprising members of parliament, Ethnic Resistance Organizations, political parties, CSO representatives and other suitable individuals to implement the policies and strategic plan of the Interim National Unity Government in accordance with the policies of the National Unity Consultative Council ratified by the People's Assembly.

45. Vice-President (1) shall serve as Acting President in the event that the President cannot perform his presidential duties. Vice-President (2) shall officiate as Acting President if the Vice-President (1) is unable to assume the responsibilities of the President.

Chapter (7)
Interim Judiciary

46. The judicial system in effect in the territories of the Federal Union under the existing Ethnic Resistance Organizations shall be deemed legitimate during the interim period.

47. The judicial power of the federal union during the interim period is vested with the civilian courts recognized by the "National Unity Government" and with the judicial system established by Ethnic Resistance Organizations at different levels within their territories. The said civilian courts and the judicial system shall have the right to exercise the judicial power and the judicial system shall be independent and fair.

48. When a need arises to settle disputes over judicial matters within the States and Federal Units, the National Unity Consultative Council shall form the judicial coordination joint committee with judicial authority representatives from the States/Federal Units concerned.

49. The judges of the federal states and federal units of the federal union shall adjudicate independently and be accountable only to the laws. The customary laws that do not conflict with human rights shall be recognized and practiced.

50. The interim judges shall be exempted from being prosecuted for their judicial decisions, except in the case of violations of laws because of premeditation or corruption.

51. Any decree or decision of the courts shall have binding authority over all persons concerned and administrative mechanisms of the interim period.

Chapter (8)

Administration, Legislation and Judiciary of the States/Federal Units

52. In accordance with the principle of self-determination in the context of building the federal union enshrined in the Charter, the administrative, legislative and judicial mechanisms of the respective States/Federal Units shall be established as necessary.

53. The legislative, administrative, and judicial matters between the Union and the States/Federal Units shall be coordinated at the National Unity Consultative Council.

Chapter (9)
Arrangements for the Transitional Period

54. The NUCC shall form the working committee for drafting the Transitional Constitution during the interim period.

55. The Transitional Constitution shall be initially approved by the National Unity Consultative Council and then submitted to and enacted by the People's Assembly.

56. The Transitional National Unity Government (TNUG) shall be formed extensively with various forces by the National Unity Consultative Council in accordance with the Transitional Constitution once the interim period is over.

57. Consecutively, the Interim National Unity Government shall hand over power to the Transitional National Unity Government in accordance with the Transitional Constitution.

58. The NUCC shall declare that the Federal Democracy Charter Part Two is repealed once the steps mentioned in articles 56 and 57 are completed.

Chapter (10)

Amendment and Addition to the Charter

59. Should the Interim Constitutional Arrangements need to be amended because of developing political conditions, such amendments and additions shall be done in accordance with the procedures of the National Unity Consultative Council and submitted to the People's Assembly for approval.

Chapter (11)
General Provisions

60. The term of this Federal Democracy Charter Part Two shall end on the day the Transitional Constitution comes into force.

61. The laws, orders, directives and decrees promulgated by the military coup clique since February 1, 2021 shall be declared null and void.

62. The laws, orders, directives and manuals promulgated by the Committee Representing Pyidaungsu Hluttaw before the enactment of this Federal Democracy Charter shall remain valid provided they do not conflict with this Charter. The Committee Representing Pyidaungsu Hluttaw shall amend and repeal those laws, orders, directives and manuals that are incompatible with this Charter through policy deliberations and agreement in accordance with the strategic framework stipulated by the National Unity Consultative Council.

63. Due to the changing political situations, while implementing the goals and strategic plan of this Charter, if it is necessary to make additions to the strategic plan, the NUCC shall mandate the relevant working group to draft and ratify it at the People's Assembly.

64. Each and every member organization of the National Unity Consultative Council shall be accountable to the Council.

Chapter (12)

Pledge to Build the Federal Democratic Union

We ratify the federal vision, values, goals, objectives and the roadmap stipulated in the Federal Democracy Charter Part One and the provisions of the Federal Democracy Charter Part Two under which the undertakings of the National Unity Consultative Council, the Interim National Unity Government, and the legislative and judicial works during the interim period shall be carried out in accordance with the principles of collective leadership and accountability.

All the member organizations which ratify this Charter make the pledge to uphold the interests of the people and the federal union in implementing political, economic, social, foreign, defence and security matters.